STAND. COM. REP. NO. 2415

Honolulu, Hawaii

FEB 1 4 2014

RE: S.B. No. 2798 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 2798 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the Attorney General's ability to prosecute medical assistance recipient fraud.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that the Attorney General's ability to prosecute medical assistance fraud aids in the recovery of restitution and serves as a deterrent to recipient fraud. Many incidents of fraud are not discovered until after the statute of limitation has expired. This measure strengthens the State's ability to seek restitution, extends the statute of limitations to three years after discovery of the offense but within six years after commission of the offense, and clarifies the authority to prosecute for information submitted electronically.

Your Committee has amended this measure by:

(1) Specifying that the restitution to be paid applies to convictions under section 346-43.5(a)(1), Hawaii Revised

2014-1031 SSCR SMA.doc

Statutes, in addition to convictions under section 346-43.5(a)(2), Hawaii Revised Statutes; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2798, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2798, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Human Services,

SUZANNE CHUN OAKLAND, Chair

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Human Services HMS

Bill / Resolution No.:* SB 2798	Committee Referral: Date: 1/30/14			!	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)					
GREEN, Josh (VC)					
KIDANI, Michelle N.		•			
TANIGUCHI, Brian T.		/			
SLOM, Sam					
		0.00			
				0	
TOTAL		محر	۵	O	, o
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes